

unpatentable over the reference HONKASALO ET AL (US 5,995,496) taken with the newly-cited reference GRUBECK ET AL (US 6,449,484).

Claims 4 was again rejected under 35 U.S.C. § 103(a) as obvious and unpatentable over the reference HONKASALO ET AL (US 5,995,496) in view of the HAMALAINEN ET AL (US 6,359,904) reference, and Claim 5 was again rejected on the same grounds further in view of the TURINA (US 6,031,832) reference.

REPLY:

The corrected set of Drawings, as required, is enclosed herewith.

Regarding the new grounds for rejection on obviousness, the Examiner again maintains that the HONKASALO reference describes the steps of the Applicant's method as defined in independent Claim 1, except for the downlink transmission facility, whereby information divided into successive blocks of the downlink data transmission are transmitted from the base station to the mobile station, for which feature the GRUBECK teaching is offered.

Firstly, particular attention is called to Applicant's defined step in Claim 1 requiring "one of said blocks comprises information ... on the transmission power level of any block of the downlink data transmission". A comparison of this limitation with the description in HONKASALO's teaching, particularly at the point referred to by the Examiner, that is, Column 8, lines 10 to 15 and 20 to 24, will clearly reveal that HONKASALO in no manner describes or contemplates the same feature or limitation defined by Applicant. The idea involved in Applicant's invention in performing the step of the limitation is that the network informs the terminal of the power level of a given block, whereby the terminal knows at which power level the network has transmitted said block. It is submitted that one of skill in the art would in no way be led by the teaching of HONKASALO, and particularly at the point in the description referred to by the Examiner, to this feature of Applicant's invention, and the teaching of GRUBECK contains nothing that would suggest this feature to the art, taken alone or with HONKASALO.

Further, it is emphasized that the invention involves the idea whereby the power transmission element or station has two different

powering modes, i.e., "continuous" and "initial" modes, of which the latter is used in the initial phase of the connection or after long pauses. The "initial" mode is of the "open-loop power control" type, where the transmitter uses the default power level formed by the transmitter. After receiving an acknowledgement of the successful transmission from the receiver, the transmitter first uses the "continuous" powering mode, and here, the power control is based on the closed-loop principle. The transmission power can be changed according to the quality of the transmission of the packet, in practice, either successful or failed.

The Examiner's contention that HONKASALO teaches or suggests Applicant's invention wherein the network informs the terminal about the transmission power level of the radio block to be transmitted in the downlink direction, is untenable in that the cited description at Column 8, lines 10 to 15, only discusses closed-loop power control, in which the base station has determined a given quality level that the transmission signal of the terminal should meet and which is used by the terminal to control its own transmission power. Applicant's invention does not in any way relate to changing the transmission power of the terminal on the basis of commands from the base station, nor to the control of the transmission at all. Rather, Applicant's invention is directed to adjusting the parameters of the terminal in such a way that the receiver would be capable of receiving all of the transmissions addressed to it as well as possible. Furthermore, the HONKASALO reference does not in any way disclose or suggest that the network would inform any block about the power level used by it in any downlink block of the data channel transmitted by it, so that the terminal would be capable of adjusting its reception to the correct range. Thus, HONKASALO fails to teach an important limitation in Applicant's independent method Claim 1 for which it was cited.

As to the combination of the teaching of the GRUBECK reference with that of HONKASALO, the former can only offer a prior art example of the idea that information is transmitted in blocks in the downlink direction. GRUBECK offers no teaching or suggestion that would suggest the noted limitation in Applicant's Claim 1, alone or in any combination with HONKASALO, in a manner that would render Applicant's invention obvious as claimed. Consequently, it is asserted that Applicant's invention, as presently claimed in Claim

1 and its dependent claims, 2 - 7, is not obvious and patentably distinguishable over the combination of these two references.

Turning to Claims 8 and 9, it will be seen that these claims contain a similar limitation to that which was illustrated as distinguishing Claim 1 over the cited art so that they also patentably distinguish thereover based on the same points and reasoning set forth above.

In the remaining Claims 10, 11 and 12, it will be seen that it is specified that the mobile station knows at which power level blocks are transmitted by the network at given time intervals. This limitation is not described or suggested in the HONKASALO or GRUBECK teachings and constitutes another patentable difference between Applicant's claimed subject matter and the prior art.

For all of the foregoing reasons, and those set forth in the previous response, it is respectfully submitted that all of the claims now present in the application are clearly patentably distinguishable over the prior art of record, and thus are in proper form for allowance. Accordingly, prompt reconsideration, withdrawal of the rejections and allowance of this case is respectfully solicited. Should any unresolved issues remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

As noted above, corrected formal copies of the Drawings are submitted herewith as required.

No further fee is believed to be due for the entry of this response, however, if some such fee should be needed, the Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Thomas P. Dowd
Thomas P. Dowd

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Date

Reg. No. 24,586

Perman & Green, LLP
425 Post Road
Fairfield, CT 06430
Customer No.: 2512

Tel. (203) 259-1800 X113
Fax. (203) 255-5170

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